

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7071  
Facsimile: (415) 436-7234  
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-70649
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
FRANCISCO ACOSTA-ROJAS,	)	
a/k/a Francisco Rojas-Acosta,	)	
a/k/a Ruben Carrillo,	)	
	)	
Defendant.	)	
_____	)	

On November 5, 2007, the parties in this case appeared before the Court and stipulated that time from October 31, 2007 through November 19, 2007 should be excluded from Speedy Trial Act calculations because defense counsel will be out of town during the week of November 12 and needs adequate time to prepare for this case, including to meet with his client. Additionally, defense counsel will need adequate time to review discovery, which the government produced recently. The parties represented to the Court that the length of the requested continuance was

1 the reasonable amount of time necessary for effective preparation of defense counsel, taking into  
2 account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed  
3 that the ends of justice served by this continuance outweighed the best interests of the public and  
4 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5  
6 SO STIPULATED:

7  
8 SCOTT N. SCHOOLS  
United States Attorney

9  
10 DATED: November 9, 2007

11 /s/  
TAREK J. HELOU  
Assistant United States Attorney

12  
13 DATED: November 9, 2007

14 /s/  
RONALD TYLER  
Attorney for Defendant Francisco Acosta-Rojas

15  
16 As the Court found on November 5, 2007, and for the reasons stated above, the Court finds  
17 that the ends of justice served by the requested continuance outweigh the best interests of the  
18 public and the defendant in a speedy trial. The Court also finds that time from October 31, 2007  
19 through November 19, 2007 shall be excluded from Speedy Trial Act calculations for effective  
20 preparation of defense counsel. 18 U.S.C. §3161 (h)(8)(A). Failing to grant the requested  
21 continuance would deny counsel reasonable time necessary for effective preparation, taking into  
22 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.  
23 §3161(h)(8)(B)(iv).

24  
25 SO ORDERED.

26  
27 DATED: \_\_\_\_\_

28 THE HONORABLE BERNARD ZIMMERMAN  
United States Magistrate Judge